

**SANTA FE COUNTY
AMENDMENT NO. 5
TO MEMORANDUM OF AGREEMENT
BETWEEN SANTA FE COUNTY AND THE CITY OF SANTA FE
FOR THE TRAILS AND OPEN SPACE PROJECTS**

ITEM # 10-6971

THIS AMENDMENT is entered into on this 26th day of, October 2010, by and between **Santa Fe County**, hereinafter referred to as "the County" and the **City of Santa Fe**, a New Mexico political municipality with a principle address of 200 Lincoln Avenue, Santa Fe, New Mexico 87504, hereinafter referred to as "the City".

WHEREAS, on September 14, 2004 the County entered into the Memorandum of Agreement with the City of Santa Fe for the joint regional trails project ("Agreement") for a County expenditure of \$270,000; and

WHEREAS, Article 3, "EFFECTIVE DATE AND TERM", of the original Agreement allows the parties to extend the original term of the Agreement in writing by mutual agreement of parties; and

WHEREAS, Amendment No. 1 extended the term of the original Agreement through June 30, 2007; and

WHEREAS, Amendment No. 2 extended the term of the original Agreement through June 30, 2009 to allow for on-going work and progression of this joint project; and

WHEREAS, Amendment No. 3 added the Santa Fe Rail Trail to the joint regional trails project and increased compensation under the original Agreement in the amount of \$1,060,000; and

WHEREAS, Amendment No. 4 extended of the term of the Agreement through June 30, 2011 and increased compensation in the amount of \$200,000 for the Santa Fe Rail Yard Park project .

WHEREAS, the parties desire to enter into this Amendment No. 5 to increase compensation in the amount of \$258,330 for the Foothills Trail System, for a total amount of \$323,330 for the Foothills Trail System, and a total Agreement amount of \$1,788,330.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Article 2, "METHOD OF FUNDING", is amended to read as follows:

A. The total compensation to be paid under the Memorandum of Agreement shall not exceed a total amount of \$1,788,330.

B. The County shall compensate the City in the following amounts:

1. Arroyo Chamisa Trail – original amount: \$45,000	Amended amount:	\$ 160,000
	Total:	\$ 205,000
2. Foothills Trail System- original amount: \$65,000	Amended amount:	\$ 258,330
	Total:	\$ 323,330
3. Santa Fe Rail Yard Park - original amount: \$160,000	Amended amount:	\$ 470,000
	2 nd Amended amount:	\$ 200,000
	Total:	\$ 830,000

4. Santa Fe Rail Trail Total: \$ 430,000
2. Exhibit 1, Project Description, pertaining to the Foothills Trail System Improvement Project, is amended to read as follows:

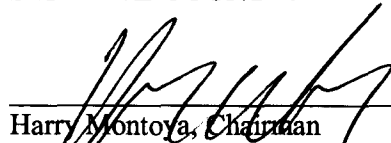
Foothills Trail System Improvement Project:

The foothills trails, (also known as the Dale Ball Trails) are an established hiking and mountain biking trail network approximately 27 miles long on the eastern side of the City of Santa Fe. The Foothills trails connect City, County, National Forest Service and private lands. Trailhead parking lots to the foothill trails currently exist on NM-475 (Hyde Park Road) at the end of Upper Canyon Road. The Gonzales Road Trail will provide bicyclists and pedestrians improved connectivity to the foothill trail system. GRT funds for 2004 will be applied toward trail system enhancements.

The Remainder of the Project Description remains as written in the original MOA.

3. All other provisions of the original Memorandum of Agreement, not amended, replaced or superseded by Amendment Nos. 1, 2, 3, 4 or by this Amendment No. 5 shall remain in full force and effect.

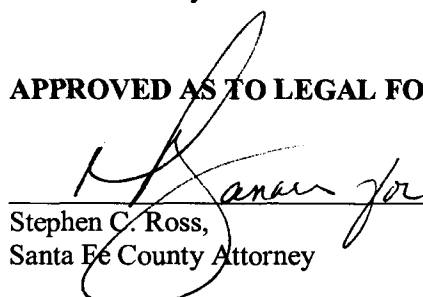
SANTA FE COUNTY:


 Harry Montoya, Chairman
 Santa Fe Board of County Commissioners

ATTEST


 Valerie Espinoza
 Santa Fe County Clerk

APPROVED AS TO LEGAL FORM


 Stephen C. Ross,
 Santa Fe County Attorney

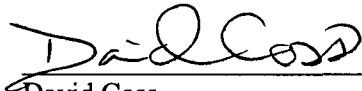
5-13-10
 Date

FINANCE DEPARTMENT APPROVAL


 Teresa Martinez
 Santa Fe County Finance Director

5/24/11
 Date

CITY OF SANTA FE:



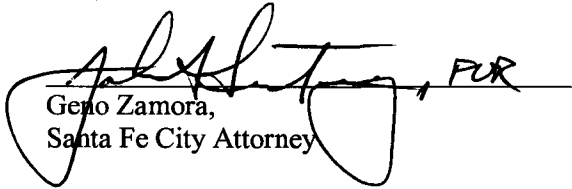
David Coss
Mayor

ATTEST

Yolanda Y. Vigil

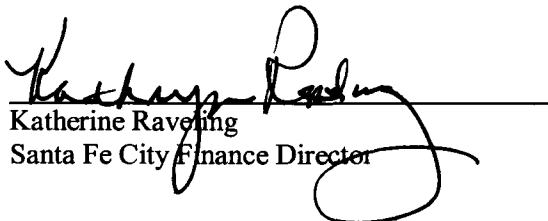
City Clerk *ccmtg 9-29-10*

APPROVED AS TO LEGAL FORM


Geno Zamora,
Santa Fe City Attorney

Date

FINANCE DEPARTMENT APPROVAL


Katherine Raveling
Santa Fe City Finance Director

10/4/2010
Date